

## REMARKS

By the foregoing Amendment, the Related Applications section of the specification has been updated as requested by the Examiner, and Claims 1, 22, 27 and 28 have been cancelled. Favorable reconsideration of the application is respectfully requested.

Claim 22, objected to as being of improper dependent form, has been cancelled. Claim 1 was rejected under 35 U.S.C. 112, second paragraph, on the grounds of indefiniteness, and Claim 1 has now been canceled.

Claims 1 and 15-27 were rejected under 35 U.S.C. 103 (a) on the grounds of obviousness from Viera in view of Frechette et al. The Examiner indicated that it could be said that the distal region of the reinforcement tube of Viera extends over a portion of the distal region of the core, since "no special definition is set forth for the term 'distal region.'" It is respectfully noted that Fig. 3 of Viera shows the sleeve 340 extending over the proximal segment 322 of the corewire 320, as is explained in Viera at column 2, line 53.

Frechette et al. was cited as disclosing a coating of heat shrinkable material, and the Examiner indicated that it would have been obvious to use a coating of heat shrinkable material similar to that of Frechette et al. with a guidewire similar to that of Viera. Claim 15 recites, "a coating of a heat shrinkable material disposed over said distal tapered portion of said reinforcement tube." The Examiner did not assert that it would have been obvious to place a coating of heat shrinkable material over a distal tapered

portion of a reinforcement tube, and it is respectfully submitted that Frechette et al. and Viera do not teach, disclose or suggest a coating of a heat shrinkable material disposed over a distal tapered portion of the reinforcement tube, as is currently claimed.

Frechette et al. teaches the use of a sleeve 54 of PTFE heat shrinkable material covering a portion of the distal coil 42 and a tapered portion (22, 24, 26, 28) of the core of the guidewire. The teaching of Frechette et al. is clearly of the use of the heat shrinkable material to adhere the distal coil to the distal portion of the guidewire core. However, Frechette et al. also does not teach a coating of a heat shrinkable material disposed over a distal tapered portion of a reinforcement tube, as is currently claimed.

The Examiner indicated that it would have been obvious to use a coating of heat shrinkable material with a guidewire similar to that of Viera to aid in the insertion of the guidewire into the body. At column 4, lines 37-42, Viera teaches that the sleeve 340 may have a lubricant coating on outer surface, and may be treated with a Teflon spray to lubricate the outer surface of the sleeve, to facilitate pushing of the guidewire through the subject. However, Viera does not teach a coating of a heat shrinkable material disposed over a distal tapered portion of a reinforcement tube, as is currently claimed.

As is discussed in the specification at page 4, lines 16-18, in the present invention, the tapered portion of the guidewire core provides for a transition to increased flexibility in the distal region of the guidewire, so that the thinly tapered portion of the reinforcement tube extending over the distal region of the guidewire core can flex considerably, which may cause the thinly tapered portion of the reinforcement tube to flare outwardly, to separate from the guidewire core. In the present invention, the coating

of heat shrinkable material disposed over the distal tapered portion of the reinforcement tube and over the distal region of the core functions to retain the thinly tapered portion of the reinforcement tube to the surface of the distal region of the guidewire core and prevent separation of the tapered portion of the reinforcement tube from the distal region of the guidewire core. Neither of the references cited teaches such a problem of possible flaring of the end of a reinforcement tube over a distal region of a guidewire core, or the solution of disposition of a coating of heat shrinkable material over such a thinly tapered portion of a reinforcement tube over a distal region of a guidewire core.

It is respectfully submitted that Viera and Frechette et al., either individually or in combination, do not disclose, teach or suggest the present invention as claimed, and that the present invention is novel and inventive over the references cited, taken either individually or in combination. It is therefore respectfully submitted that the rejection pertaining to pending Claims 15-26 on the grounds of obviousness from Viera in view of Frechette et al should be withdrawn.

Claim 28 was rejected under 35 U.S.C. 103 (a) on the grounds of obviousness from Viera in view of Frechette et al., and further in view of Stice. Claim 28 has been cancelled.

Claims 1, 15 and 19-28 were rejected under the judicially created doctrine of obviousness type double patenting in view of U.S. Patent No. 6,156,140. It is believed that the Examiner intended to cite Patent No. 6,165,140, issued on prior application Serial No. 09/221,393 filed December 28, 1998. Claims 15-18 were also rejected under the judicially created doctrine of obviousness type double patenting in view of U.S. Patent

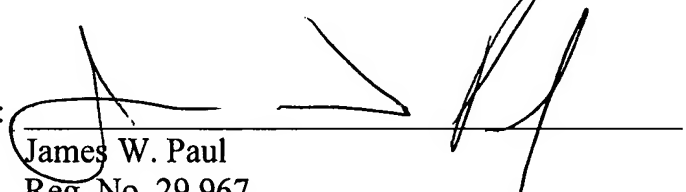
No. 6,432,066. The Examiner also discussed Claim 1 in connection with this rejection based upon U.S. Patent No. 6,432,066. Claim 1 is now canceled. Claims 15-18 were also rejected under the judicially created doctrine of obviousness type double patenting in view of U.S. Patent No. 6,595,932. It is believed that these rejections under the judicially created doctrine of obviousness type double patenting can now be withdrawn in view of the terminal disclaimer being filed concurrently herewith.

Our check in the amount of \$65.00 is enclosed to cover the fee for filing the disclaimer.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:   
James W. Paul  
Reg. No. 29,967

JWP/rvw

Encls.: Return Postcard  
Terminal Disclaimer  
Check for \$65.00

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201